

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 18-CR-2945 WJ

JANY LEVEILLE,
SIRAJ IBN WAHHAJ,
LUCAS MORTON,
HUJRAH WAHHAJ, and
SUBHANAH WAHHAJ,

Defendants.

UNITED STATES' MOTION FOR AN AMENDED SCHEDULING ORDER

The United States moves the Court for an amended scheduling order. Pursuant to the Court's instructions at the status conference held on October 12, 2022, the United States respectfully requests that the Court enter an amended order reflecting the following schedule:

1. February 3, 2023: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice deadline.
2. March 3, 2023: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice responses deadline.
3. March 17, 2023: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice replies deadline.
4. April 17, 2023: Expert witnesses notice and report deadline (both parties).
5. April 21, 2023: CIPA litigation substantially completed (to be determined by the Court).
6. May 1, 2023: Daubert motions deadline.
7. May 15, 2023: Daubert responses deadline.

8. May 29, 2023: Daubert replies deadline.
9. June–August 2023: Hearings on outstanding motions (to be determined by the Court).
10. August 31, 2023: Fed. R. Crim. P. 404(b) notices; motions in limine; proposed jury instructions; proposed voir dire; disclosure of witness and exhibit lists deadline.
11. September 22, 2023: Fed. R. Crim. P. 404(b); motions in limine; objections to jury instruction; voir dire; witness and exhibit lists responses deadline.
12. October 6, 2023: Fed. R. Crim. P. 404(b); motions in limine; objections to jury instruction; voir dire; witness and exhibit lists replies deadline.
13. October 2023 (to be determined by the Court): Hearings on motions in limine, Fed. R. Crim. P. 404(b) notices, jury instructions, and proposed voir dire.
14. October 2023 (to be determined by the Court): Pretrial conference
15. October 2, 2023: Jencks Act and Giglio disclosures.
16. October 30, 2023: Jury trial for approximately four weeks.

Jany Leveille, through counsel, does not oppose this motion. Siraj Ibn Wahhaj, Hujrah Wahhaj, and Subhanah Wahhaj, through counsel, oppose this motion. Lucas Morton, who is representing himself, also opposes this motion and prefers that the trial to begin in May 2023.

WHEREFORE, the United States respectfully submits this Motion for an Amended Scheduling Order and requests that the Court enter an amended scheduling order reflecting these proposed dates.

Respectfully submitted,

ALEXANDER M. M. UBALLEZ
United States Attorney

/s/ Electronically filed
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon defense counsel. A hard copy will be mailed to Defendant Lucas Morton at his address of record.

Electronically Signed

Kimberly A. Brawley
Assistant United States Attorney